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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AARON GREENSPAN,  
Plaintiff,  
v.  
OMAR QAZI, SMICK ENTERPRISES, INC.,  
ELON MUSK, and TESLA, INC.,  
Defendants.

Case No. 3:20-cv-03426-JD

**DECLARATION OF AARON  
GREENSPAN IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
COSTS AND EXPENSES  
PURSUANT TO FEDERAL RULE  
OF CIVIL PROCEDURE 4(d)(2)  
FOR SERVICE ON ELON MUSK**

I, Aaron Greenspan, declare as follows:

1. I filed this lawsuit against Omar Qazi, Smick Enterprises, Inc., Elon Musk and Tesla, Inc. with the Clerk of Court via e-mail on May 20, 2020, as CM/ECF is not yet equipped to process *pro se* opening documents.

2. I received the case number for the lawsuit on the morning of May 21, 2020.

3. After receiving the case number on May 21, 2020, I e-mailed Elon Musk and the other defendants a link to the PlainSite docket for the case, which contains links to true and correct copies of each associated CM/ECF document.

4. Later that day, I e-mailed Elon Musk copies of forms AO 398 and AO 399 (two copies) as part of an electronic message compliant with Federal Rule of Civil Procedure 4(d)(1).

5. I also e-mailed Elon Musk supplementary materials as required by Civil Local Rule 4-2 and the Initial Case Management Scheduling Order in this case.

1       6. True and correct copies of the messages I sent Elon Musk pertaining to waiver of  
2 service are attached to the accompanying Motion as Exhibit A.

3       7. The e-mails did not bounce, and I have corresponded with Elon Musk by e-mail at  
4 the same e-mail address in the past.

5       8. By June 19, 2020, Elon Musk had not responded to any of the e-mails I sent  
6 requesting waiver of service.

7       9. I sent a final reminder e-mail to Elon Musk on June 19, 2020.

8       10. Even despite the reminder, Elon Musk did not respond to any of my e-mails  
9 regarding waiver of service within thirty days of May 21, 2020.

10      11. During the thirty days starting from May 21, 2020, Elon Musk frequently found  
11 time to post on his Twitter account.

12      12. Elon Musk has waived service of process in numerous other lawsuits.

13      13. I hired Michelson Attorney Service to serve Elon Musk in person, which was  
14 accomplished on June 23, 2020 at a total cost of \$930.33 for six physical addresses, printing, and  
15 service of the accompanying Motion.

16      I declare under penalty of perjury under the laws of the United States that the above  
17 statements are true and correct and that this declaration was executed on June 25, 2020 in San  
18 Francisco, California.

19  
20      Dated: June 25, 2020

22        
23      Aaron Greenspan